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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 000502

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SUBJECT: ACTIVISTS FRET OVER NEW THAI GOVERNMENT'S POSSIBLE
DIRECTION ON HUMAN RIGHTS

REF: A. 07 BANGKOK 4980 (DRUG WAR PANEL)

[1](#)B. BANGKOK 300 (VIEWS ON THE SOUTH)

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Classified By: Deputy Chief of Mission James F. Entwistle, reason 1.4 (b) and (d).

SUMMARY

[1](#)1. (SBU) Thai human rights activists and civil society groups have recently expressed concerns about the human rights record of new Thai government officials, including the Prime Minister, House Speaker, and the Interior Minister. Controversial appointments proposed by these ministers have also raised the ire of the NGO community. Activists fear that the new government will embrace Thaksin-era policies, such as a violent counter-narcotics campaign and an aggressive counter-insurgency strategy in the South, which may lead to extra-judicial killings, disappearances, and other abuses. Human rights NGOs are also pessimistic over progress in stalled investigations into Thaksin-era human rights violations. While the government has yet to make official policy statements on counter-narcotics and the South, and it is too soon to form any conclusions about this government's attitude toward human rights, the Ambassador and other Embassy officers have urged top government officials to ensure their policies respect human rights and the rule of law. End Summary.

[1](#)2. (SBU) On February 11-12, Thailand's National Human Rights Commission (NHRC) and a leading human rights NGO organized a seminar in Bangkok on enforced disappearances that underscored a prevailing unease in Thai civil society about the country's human rights situation. The event was widely-attended by civil society groups, diplomats, academics, and the media. Speakers at the seminar joined a chorus of human rights activists who have in recent weeks voiced growing worries about the new Thai government's attitude towards human rights. These activists fear that recent government appointments and public statements may project an image of official indifference to human rights and the rule of law.

13. (SBU) Civil society groups have voiced strong concern about recent government ministerial appointees with questionable human rights records. NGO leaders speaking at the NHRC seminar and privately with Embassy officials reserved their harshest words for new Thai Prime Minister Samak Sundaravej, whom activists accuse of involvement in 1976 and 1992 incidents in which the security forces shot students and activists participating in anti-government demonstrations. In particular, activists have publicly condemned Samak's assertion in recent media interviews that only one person died in the 1976 government crackdown, contradicting official government figures that cited dozens of deaths in that incident. A seminar speaker, representing an NGO which advocates for an official accounting of killings committed during the 1976 and 1992 crackdowns, publicly stated during the seminar that "Samak's hands are covered with blood."

14. (C) Other government ministers have engendered anxiety in the NGO community. Speaking with EAP DAS Marciel on January 24 (ref B), Human Rights Watch's Sunai Phasuk voiced worries about new Interior Minister Chalerm Yoombamrung, who is suspected of having been involved in corrupt activities during his time as a Police officer and as a politician. Sunai also accused House Speaker Yongyuth Tiypairat, of creating Forestry Department "paramilitaries" allegedly connected with human rights abuses in northern Thailand during the Thaksin government's "war on drugs." Sunai recounted a particularly chilly encounter with Surapong Suebwonglee, a Deputy Prime Minister and the Finance Minister, who disturbingly told Sunai in early January that the PPP intends to "start another drug war." NHRC seminar attendees criticized February 8 public comments by Public

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Health Minister Chaiya Sasomsab that were viewed as offensive by people living with HIV/AIDS. The Public Health Minister's comments were reportedly interpreted by some as vaguely implying AIDS patients belonged in a crematorium.

15. (SBU) Activists have been particularly incensed at recent statements indicating some government ministers intended to appoint the controversial relatives of leading politicians to important positions. NGO leaders denounced the February 10 proposed appointment of Wan Yoombamrung as an aide to the Public Health Minister. Wan, the son of Interior Minister Chalerm, has a reputation for aggressive behavior and was convicted in 2004 of assault stemming from a barroom brawl. (He was acquitted in 2001 of charges of abetting the escape of his brother, who fled the country to evade a murder charge stemming from another barroom brawl.) The proposed appointment of Chonsawat Asavahame as an Interior Ministry aide has also raised the ire of activists. Chonsawat, who reportedly escaped punishment for election fraud on a technicality, is the son of controversial Motherland Party Samut Prakan Province politician Vatana Asavahame, a former Interior Minister, who has similarly been accused of election fraud and corruption. Vatana's reputation also was damaged by public revelations in the early 1990's that he was ineligible for a U.S. visa because he had profited from the drug trade. Chonsawat was also accused last year of involvement in the assault of a police officer. (Note: On February 13, the press reported that PM Samak had placed these appointments on hold pending further review. End note.)

STALLED INVESTIGATIONS

16. (SBU) Human rights activists also complained that former Prime Minister Surayud Chulanont's interim government failed to make substantial progress in investigations into Thaksin-era human rights abuses, particularly enforced disappearances and extra-judicial killings committed during

the 2003-2005 "war on drugs" and government efforts to combat the ethnic-Malay Muslim insurgency in the four southernmost provinces. Speaking at the seminar, the regional representative of the United Nations Office of the High Commissioner for Human Rights expressed concerns that a Justice Ministry investigatory panel (ref A) declined to implicate officials in alleged drug war killings. One NGO activist privately told Poloff on January 24 that he suspected the drug war investigators had "watered down" their report and declined to accuse former Thaksin government officials of human rights abuses in order to avoid retaliation from PPP figures, many of whom are close to Thaksin. Thanaphalaphon Anuphan, a human rights activist who has taken a lead role in exposing alleged drug war enforced disappearances in Thailand's northeast, told seminar participants he would take a three-month "rest period" to gauge whether it would be safe for him to continue his investigatory work under the new government.

17. (SBU) Participants at the conference expressed particular concern about the lack of progress in the investigation of missing (and presumed dead) Muslim human rights attorney Somchai Neelaphaijit, whom some police officials allegedly "disappeared" in 2004 for his role in uncovering human rights abuses in the South. Angkana Neelaphaijit, Somchai's wife and a leading human rights activist, publicly derided the Justice Ministry's failure to proceed with the investigation into her husband's death in spite of a preponderance of evidence indicating the police were involved in his disappearance. One seminar participant facetiously said the Department of Special Investigations (DSI), the lead agency in the Justice Ministry pursuing the investigation, should instead be called the "Department of 'Stop and Go' Investigations." NGO representatives speculated the new government would fail to encourage DSI to make progress on this investigation.

18. (SBU) Activists fret that investigations into the 2004 extra-judicial killings at the Krue Se Mosque in Pattani Province and in Tak Bai, Narathiwat Province, where dozens of suspected insurgents were killed by security forces, would

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similarly see a lack of progress under the new government. Human rights activists at the seminar feared the new government would reinstate the use of enforced disappearances as a tactic in suppressing the southern insurgency. NGO representatives noted that no progress has been made in investigating over 20 alleged enforced disappearances in the South between 2004 and 2006, and expected little headway to be made in those investigations in the near future.

COMMENT

19. (C) The new government has yet to issue its official policy statement (expected early next week), and it is too early to form judgments about its approach to human rights issues. Nevertheless, the questionable human rights records of some government officials, as well as their recent public statements, have raised concerns in the human rights community. The Ambassador and other Embassy officials have encouraged the Prime Minister and other high-level RTG counterparts to be mindful of human rights; we particularly have urged that any future counter-narcotic efforts meet international human rights standards and adhere to the rule of law. We will continue to make these points.

JOHN